

REMARKS

Reconsideration of this Application is respectfully requested in view of the arguments presented below. Claims 1-19 remain pending in the present application. Claims 1, 7-12, and 13 have been amended. Claims 20-26 have been added. No new matter has been added.

35 U.S.C. Section 101 Rejections

The Decision on Appeal from Board of Patent Appeals and Interferences (mailed 03/10/2010) states Claims 7-12 are rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. The Decision on Appeal alleges that Claim 7 encompasses forms of the computer program being embodied on transitory propagating signals per se. Applicants have herein amended Claims 7-12 and respectfully assert that the rejection has been overcome. Accordingly, Applicants respectfully request withdrawal of the rejection.

35 U.S.C. Section 103 Rejections

The above referenced Office Action rejects independent Claim 1 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,937,743 (hereinafter Rassman) and further in view of U.S. Patent No. 5,208,765 (hereinafter Tumbull). Applicants respectfully traverse.

Applicants respectfully point out that the Examiner has the burden of establishing a prima facie case of obviousness. To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill

in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaeck, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991). See MPEP 2100-126 and 2143.01-.03.

Applicants direct the Examiner to Claim 20 which recites in part (emphasis added):

A method for displaying components of a system, the method comprising:
identifying, within an electronic system, a first component group
containing a plurality of additional components and a second component group
containing a plurality optional components;
compiling an ordered listing of said additional components for
implementation into an existing system, wherein said ordered listing comprises a
sequential order for installing said additional components;

Independent Claims 1, 7, and 13 recite distinguishing limitations similar to those recited in Claim 1.

The above mentioned Office Action admits that Rassman fails to specifically disclose an ordered listing, the ordered listing providing an order that is required for installing the components in the web architecture framework. Accordingly, Applicants respectfully assert Rassman cannot teach or suggest an ordered listing comprising a sequential order for installing the additional components, as claimed, because Rassman does not teach or suggest an ordered listing, the ordered listing providing an order that is required for installing the components in the web architecture framework, as claimed. To

the extent that Rassman may mention that predetermined sequences or rules may be established (Col. 11, lines 20-21), Applicants respectfully assert that Rassman fails to teach or suggest an ordered listing comprising a sequential order for installing the additional components, as claimed. Applicants respectfully assert that the mere mention of predetermined sequence does not teach or suggest a sequential order for installing additional components, as claimed. Applicants respectfully assert that Rassman is silent as to the basis for ordering the predetermined sequences. Further, Applicants respectfully assert that Rassman is silent as to the predetermined sequence being a sequential order for installing components, as claimed.

Moreover, Applicants respectfully assert that Turnbull fails to remedy the shortcomings of Rassman. To the extent that Turnbull may mention that examination of product control matrix 100 immediately informs the person of the requirements that have been completed and the requirements that have been completed and the requirements remaining to be performed prior to introduction of the product to the market (Col. 4, lines 16-20), Applicants respectfully assert Turnbull fails to teach or suggest a sequential order for installing additional components, as claimed. Applicants respectfully assert that Turnbull is silent as to the basis of the order of entries in product control matrix 100. Therefore, Applicants respectfully assert that the cited references do not render obvious embodiments as recited by Claim 1 within the meaning of 35 U.S.C. 103(a).

Independent Claims 1, 7, and 13 recite distinguishing limitations similar to those recited in Claim 20. For the reasons stated above, Applicants respectfully assert that

Claims 1, 7, and 13 is allowable over the cited references. Dependent claims are allowable by virtue of their dependency.

CONCLUSION

Applicant respectfully asserts that all claims (Claims 1-20) are in condition for allowance and Applicant earnestly solicits such action from the Examiner. The Examiner is urged to contact Applicant's undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,
MURABITO, HAO & BARNES

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/James P. Hao/
James P. Hao
Registration No. 36,398

Two North Market Street
Third Floor
San Jose, CA 95113
(408) 938-9060